

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): Mitchell Reff et al.

Appln. No.: 09

Series Code ↑

019,441

Serial No. ↑

Filed: February 5, 1998

Hon. Commissioner of Patents  
Washington, D.C. 20231

Sir:

REPLY/AMENDMENT/LETTER

Group Art Unit

1644

Examiner:

M. DiBriho

Atty. Dkt.

P 0275470

M#

/Client Ref

Appln. Title: Gamma-1 and Gamma-3 Anti-Human  
CD23 Monoclonal Antibodies and Use  
Thereof as Therapeutics

Date: September 24, 2001

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

## 1. Small Entity claim

A.  NOT made  
 B.  Withdrawn  
 C.  made herewith  
 D.  made previously

For B & C  
See Required  
Separate Paper  
(Pat-256)

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	**minus 0	0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims	***minus 0	0	x \$80/\$40 =	+ \$0	102/202
4. If amendment enters <u>proper</u> multiple dependent claim(s) into this application for <u>first</u> time (leave blank if this is a reissue application) .....	add	+ \$270/\$135 =	+ \$0		104/204
5. <u>Original due Date:</u> July 23, 2001	<input type="checkbox"/> NONE				
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2 mos) (3 mos) (Usable only for ≤ 2mo.OA --- 4 mos) (Usable only for 30 day/1mo.OA --- 5 mos)	\$110/\$55 = \$390/\$195 = \$890/\$445 = \$1390/\$695= \$1890/\$945=	+ \$390		115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract		- \$0			
8.		Extension Fee Attached	+ \$390		
9. If <u>Terminal Disclaimer</u> attached, add Rule 20(d) official fee .....		+ \$110/\$55	+ \$0		148/248
10. If IDS attached requires Official Fee under Rule 97 (c), or if Rule 97(d) Request .....	add add	+ \$180 + \$180	+ \$0		126 126
11. After-Final Request Fee per rules 129(a) and 17(r) .....		+ \$710/355	+ \$0		146/246
12. No. of additional inventions for examination per Rule 129(b).....		x \$710/355 ea	+ \$0		149/249
13. Request for Continued Examination (RCE) .....		+ \$710/355	+ \$0		1179/1279
14. Petition fee for .....		+ \$0			
15.		TOTAL FEE ENCLOSED =	\$390		

16. \*If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. \*\*If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. \*\*\*If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

Our Deposit Account No. 03-3975)

(Our Order No. 037003 0275470

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

1600 Tysons Boulevard

McLean, VA 22102

Tel: (703) 905-2000

Atty/Sec: BDW/kmh

Pillsbury Winthrop LLP  
Intellectual Property Group

By Atty: Bonnie D. Weiss

Sig:

Reg. No. 43,255

Fax: (703) 905-2500

Tel: (703) 905-2219

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

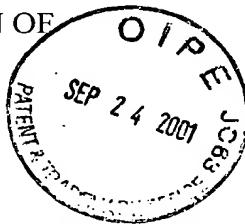
#26/F  
gnd  
10/2/01  
(N.E.)

In re PATENT APPLICATION OF

Mitchell E. Reff et al.

Application No. 09/019,441

Filed: February 5, 1998



Group Art Unit: 1644

Examiner: M. DiBrino

Title: GAMMA-1 AND GAMMA-3 ANTI-HUMAN CD23 MONOCLOINAL ANTIBODIES AND USE THEREOF AS THERAPEUTICS

\* \* \* \* \*

REPLY AND AMENDMENT

Hon. Commissioner of Patents  
Washington, D.C. 20231

RECEIVED  
SEP 27 2001  
TECH CENTER 1600/2900

Sir:

In response to the Office Action dated April 23, 2001, please amend the above identified application as follows.

IN THE CLAIMS

Please cancel claims 6, 7, 16, 19, 20, 38 and 39. Please amend Claim 1 as follows:

1. (Twice Amended) An anti-human CD23 monoclonal antibody comprising human constant regions that bind to human Fc receptors wherein said constant regions are selected from human gamma-1 or human gamma-3 monoclonal antibody constant domains, wherein said antibody inhibits IL-4 induced IgE expression by B-cells in vitro to a greater extent than the anti-human CD23 monoclonal antibody which lacks a human gamma-1 or gamma-3 constant region.

09/25/2001 CNGUYEN 00000054 09019441  
01 FC:116

*See the attached Appendix for the changes made to the amended claim.*

09/25/2001 CNGUYEN 00000054 09019441

01 FC:116

-310.00 OP-